

Oversight Government Reform Bill Senate File 2325

As Amended by H-8589

House Appropriations Committee Amendment

Last Action:

**House Appropriations
Committee**

April 9, 2002

An Act relating to certain state agency regulatory functions by reorganizing the duties of the department of inspections and appeals, transferring the court appointed special advocate program to the department of inspections and appeals, renaming and revising the duties of the state citizen foster care review board, reorganizing the administrative structure of the department of natural resources, providing for legislative review of state agencies, and revising requirements for licensed birth centers.

Executive Summary Only



LEGISLATIVE FISCAL BUREAU

NOTES ON BILLS AND AMENDMENTS (NOBA)

EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

SENATE FILE 2325 AS AMENDED BY H-8589 OVERSIGHT GOVERNMENT REFORM BILL

HOUSE COMMITTEE AMENDMENT H-8589

- *Page and line numbers refer to the location the amendment action is inserted into SF 2325.*
- Strikes Division V, dealing with the licensing and regulation of Birth Centers, from the Bill. (Page 30, Line 4)
- Changes the Bill title and rennumbers the Bill to reflect the above action.

BILL AS PASSED BY THE SENATE

DIVISION I – DEPARTMENT OF INSPECTIONS AND APPEALS REORGANIZATION

- Specifies the definition of the term “administrator” throughout Chapter 10A, Code of Iowa. (Page 1, Line 3, Page 2, Line 1, Page 3, Lines 7, 30, and 35)
- Transfers responsibility for administration of inspection and licensing of social and charitable gambling from the Inspections Division to the duties of the Director. (Page 1, Line 9 and Page 3, Line 12)
- Eliminates a requirement that the rulemaking authority of the Director in the area of targeted small business is subject to the review and approval of the Director of the Department of Management. (Page 1, Line 13)
- Eliminates the Audits Division. (Page 1, Line 25)
- Eliminates investigation of proposed sales in Iowa of subdivided land situated outside the State, investigation of applications for beer and liquor licenses, and adds audits of various public assistance programs as duties of the Investigations Division. (Page 2, Line 6)
- Eliminates the responsibility for inspections of educational, correctional, and penal institutions, and add responsibility for home food establishments, egg handlers, food processing plants, grocery stores, convenience stores, temporary food establishments, and mobile food units, as duties of the Inspections Division. (Page 3, Line 12)

DIVISION II – CHILD ADVOCACY BOARD REORGANIZATION

- Adds the Administrator of the Child Advocacy Board to the list of employees exempted from appointment by the Director of the Department of Inspections and Appeals. (Page 4, Line 28)
- Requires the Court Appointed Special Advocate to submit various reports to the Court and the parties to the proceedings in family in need of assistance and child in need of assistance proceedings. (Page 5, Line 16 through Page 6, Line 19)
- Renames the State Citizen Foster Care Review Board to the Child Advocacy Board, increases the size of the Board from seven to nine members, and attaches it administratively to the Department of Inspections and Appeals. (Page 6, Line 30)
- Directs the Child Advocacy Board to assume responsibility for the functions of the Court Appointed Special Advocate (CASA) in place of the Judicial Branch. (Page 7, Line 14 through Page 8, Line 15)

EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

SENATE FILE 2325 AS AMENDED BY H-8589 OVERSIGHT GOVERNMENT REFORM BILL

DIVISION II (CONTINUED)

DIVISION III – DEPARTMENT OF NATURAL RESOURCES REORGANIZATION

FISCAL IMPACT

CONTROLLED BURNING OF DEMOLISHED BUILDINGS

TRANSFER OF ABANDONED WELLS PROGRAM

DEMOLITION SITE WASTE MATERIAL TASK FORCE

- Directs the Child Advocacy Board to work with the Court Appointed Special Advocate Program to develop a plan for merging the Program with the Citizen Foster Care Review Process. Directs the Board to review other programs or processes in State government that are intended to address the best interests of a child who is subject to out-of-home placement or other Juvenile Court oversight. (Page 8, Line 16)
- Requires the Board to submit a report to the Governor, the General Assembly, and the Supreme Court on the two study areas by December 16, 2002. (Page 8, Line 16)
- Eliminates references to the seven existing divisions within the Department of Natural Resources (DNR). (Page 8, Line 31 through Page 25, Line 8)
- Provides the authority to the Director to establish divisions, bureaus, or other administrative entities as appropriate to efficiently and effectively carry out the Department's responsibilities, in consultation with the Natural Resource Commission and the Environmental Protection Commission. (Page 15, Line 6)
- The current structure of the DNR contains seven divisions and 21 bureaus. The Department plans to establish three divisions and 16 bureaus as part of the reorganization. The Department has indicated it will eliminate four division administrators and five bureau chiefs for an estimated savings of \$414,000 to the General Fund and \$153,000 in other funds.
- Requires the Environmental Protection Commission to adopt rules permitting cities to conduct controlled burns of demolished buildings, specifies certain restrictions, and prohibits controlled burning in specified cities. (Page 16, Line 22)
- Transfers the funds and responsibilities related to oversight and testing of private rural water supply wells, private rural water supply well sealing, and the proper closure of private rural abandoned wells and cisterns from the DNR to the Department of Public Health. (Page 20, Line 31)
- It is estimated that \$1.3 million from the Ground Water Protection Fund would transfer to the Department of Public Health and \$111,000 would be kept by DNR for administrative expenses.
- Requires the DNR, in cooperation with the Department of Economic Development, to establish a Demolition Site Waste Task Force to study the issues related to the disposal of waste material from demolished buildings. (Page 25, Line 9)
- Specifies but does not limit the membership of the Taskforce and requires a report to the General Assembly with recommendations regarding the disposal of debris from demolitions sites by January 1, 2003. (Page 25, Line 34 and Page 26, Line 16)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 2325 AS AMENDED BY H-8589
OVERSIGHT GOVERNMENT REFORM BILL**

**DIVISION IV – LEGISLATIVE
OVERSIGHT COMMITTEE**

- Adds statutory language creating the Legislative Oversight Committee as a permanent committee of the Legislative Council. Specifies that the charge of the Oversight Committee is to systematically review the programs, agencies, and functions of the Executive and Judicial Branches to ensure that public resources are used in the most efficient manner. (Page 26, Line 22)
- Requires agencies selected for review by the Committee to provide information as requested to the Committee. (Page 26, Line 32)
- Repeals Chapter 135G, Code of Iowa, relating to licensure and regulation of Birth Centers, and makes conforming changes in other sections of the Code of Iowa. (Page 27, Line 30 though Page 30 Line 4)

**DIVISION V – REGULATION OF
BIRTH CENTERS**